

UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA

Plaintiff

v.

TROPICAL FRUIT, S.E.; AVSHALOM
LUBIN; CESAR OTERO ACEVEDO; and
PEDRO TOLEDO GONZALEZ

Defendants

Civil Action No. 97-1442-DRD

**INFORMATIVE MOTION WITH REGARD TO
MOTION IN COMPLIANCE WITH ORDER TO SHOW CAUSE**

TO THE HONORABLE COURT:

COME NOW defendants, Tropical Fruit, S.E., Avshalom Lubin, César Otero Acevedo and Pedro Toledo González (hereinafter referred to collectively as “Defendants”), represented by the undersigned counsel, and very respectfully allege and pray:

On this same date, May 6th, 2005, the appearing Defendants have filed a Motion in Compliance with Order to Show Cause, with a Memorandum of Law in Support thereof. (Docket No. 105) At the time of the filing the undersigned counsel inadvertently selected a “motion for order to show cause” from the list provided by the Court’s CM/ECF system. According to its content, the motion, and its supporting memorandum and exhibits thereto, was intended to be filed as a motion in compliance with order.

WHEREFORE, Defendants respectfully request that this Honorable Court takes notice of the abovementioned.

Respectfully submitted.

In San Juan, Puerto Rico, on this 6th day of May, 2005.

I HEREBY CERTIFY that on May 6th, 2005, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: Mr. Henry Friedman, Esq., Environmental Enforcement Section, U. S. Department of Justice, PO Box 7611, Washington, D. C. 20044; Isabel Muñoz, Assistant United States Attorney, Federal Building, Room 452 Chardon Avenue, Hato Rey, Puerto Rico 00918.

I HEREBY CERTIFY that I have mailed by United States Postal Service the foregoing document to the following non CM/ECF participants: German A. González PO Box 190764 San Juan, PR 00919-0764.

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